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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,013	04/12/2005	Kwaku Frimpong-Ansah	AT 020061	2598
24737	7590	07/09/2008	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			SAIN CYR, LEONARD	
P.O. BOX 3001				
BRIARCLIFF MANOR, NY 10510			ART UNIT	PAPER NUMBER
			2626	
			NOTIFICATION DATE	DELIVERY MODE
			07/09/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/531,013	FRIMPONG-ANSAH, KWAKU
	<b>Examiner</b>	<b>Art Unit</b>
	LEONARD SAINT CYR	2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 15 February 2008.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-20 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____ .	6) <input type="checkbox"/> Other: _____ .

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 02/15/08 have been fully considered but they are not persuasive.

Applicant argues that Boys et al., do not disclose that during a playback of audio data in reverse mode, starting from the particular momentary replay position in the audio data, it automatically initiates a backward jump counter to the forward sequence over a return distance corresponding to the length of at least roughly two words, to a target position, and, then starting from the particular target position, initiates a replay of audio data in the forward sequence of just one part of the return distance (Amendment, pages 6, and 7).

The examiner disagrees, Boys et al., teach “a function called Return associated with Play moves the pointer immediately back to the position it held in the file at the beginning of the play function. The jog and Play functions are provided for a user to find positions in the file where additions, editing, or other functions are to be performed” (col.13, lines 5 – 8, and 30 – 33). “The audio editor uses a bar graph display, wherein a line or bar is movable along the length of the bar graph, providing a relative indication of the pointer” (col.11, lines 1 – 8). Moving the pointer back to the position it held in the file at the beginning of the play function, and using a bar graph to indicate the relative position of the pointer imply playing back the audio data in reverse mode, and using a backward jump counter to the forward sequence over a return distance corresponding

to the length of at least roughly two words, since the Return function associated with the Play moves the pointer back to positions where editing or other functions are to be performed in the recorded data.

***Claim Rejections - 35 USC § 102***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1 – 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Boys et al (US Patent 5,875,448).

Regarding claims 1 and 8, Boys et al. discloses an arrangement for replaying stored audio data (see col. 3, line 50),

which audio data corresponds to text data from a text composed of words (see col. 4, lines 14-17),

with memory means for storing the audio data (see col. 3, lines 48-49), into which memory means audio data to be stored can be read in a forward sequence (see col. 3, line 67 - col. 4, line 3),

and with control means for controlling the replaying of stored audio data in a forward mode and in a reverse mode (see col. 3, line 65 - col. 4, line 3),

and with audio replaying means wherein the control means is set up in such a way that, during a playback of audio data in reverse mode, starting from the particular momentary replay position in the audio data, it automatically initiates a backward jump counter to the forward sequence, over a return distance (1A, 2A, 3A,... 6A)

corresponding to the length of at least roughly two words, to a target position, and then, starting from the particular target position, initiates a replay of audio data in the forward sequence for just one part (1B, 2B, 3B, ... 6B) of the return distance (1A, 2A, 3A,... 6A) (col.13, lines 5 – 8, and 30 – 33).

Regarding claims 2 and 9, Boys et al. further disclose that the control means is set up in such a way that, using word- marking data assigned to the words as control data, it initiates a backward jump to the particular target position (see col. 4, line 12, col. 6, lines 41-47).

Regarding claim 3, Boys et al. further disclose that a counting means is assigned to control means in order to count the marking data reached during backward jumping or replaying (see col. 11, lines 1-8).

Regarding claim 4, Boys et al. further disclose that a timing circuit is assigned to control means in order to calculate the duration of the audio replay (see col. 11, lines 41-50).

Regarding claim 5, Boys et al. further disclose that setting means is connected to control means in order to set the speed of the audio replay (see col. 11, lines 41-50).

Regarding claims 6 and 15, Boys et al. further disclose that the control means is further connected to text memory means for storing text data corresponding to the audio data (see col. 7, lines 44-49), which is connected to text display means (see col. 7, lines 26-29), and wherein the control means is set up to initiate, by means of linkage data for the audio data and text data, a synchronous replaying of the audio data and the text data corresponding to it (see col. 12, lines 30-41, lines 52-67).

Regarding claim 7, Boys et al. further disclose that the control means and the text memory means and the memory means for the audio data are connected to voice recognition means, which undertakes an automatic transcription (see col. 16, lines 35-42).

Regarding claim 10, Boys et al. further disclose that replaying in the forward sequence is automatically terminated when the next word-marking data is reached during replaying (see col. 13, lines 1-8).

Regarding claim 11, Boys et al. further disclose that replaying in the forward sequence is automatically terminated after a specified period (see col. 13, lines 1-8).

Regarding claim 12, Boys et al. further disclose that termination of the replay in the forward sequence, a backward jump over a return distance corresponding to the length of at least roughly two words takes place automatically (see col. 13, lines 1-8).

Regarding claim 13, Boys et al. et al. further disclose that the backward jump in the audio data is undertaken at a speed that is higher than the replay speed during replaying in the forward sequence, and without acoustic replaying of the stored audio data (“operates at faster than normal”; paragraph 12, lines 55 – 60).

Regarding claim 14, Boys et al. et al. further disclose that the replaying of the stored audio data in the forward sequence takes place at an adjustable replay speed (see col. 11, lines 41-47).

Regarding claim 16, Boys et al. et al. further disclose that during the visual displaying of multiple words of the text data, the particular visually displayed word for which the corresponding audio data is being replayed is visually highlighted (see col. 4, lines 51-58, where the cursor highlights the word).

Regarding claim 17, Boys et al. et al. further disclose that the text data corresponding to audio data is obtained by means of an automatic voice recognition method, wherein, simultaneously, the word-marking data is generated and stored as linkage data for the text data and audio data that correspond with each other (see col. 7, lines 36-50).

Regarding claim 18, Boys et al. et al. further disclose that a computer program product that can be loaded into a memory of a computer, and which comprises sections of software code in order that, by means of their implementation following loading into the memory, the method as claimed in claim 8 can be implemented with the computer (see col. 16, lines 51-53).

Regarding claim 19, Boys et al. et al. further disclose that a computer program product as claimed in claim 18, characterized in that it is stored on a computer-readable medium (see col. 16, lines 51-53).

Regarding claim 20, Boys et al. et al. further disclose that a computer with a processing unit and an internal memory, which computer is designed to implement the computer program product as claimed in claim 18 (see col. 16 lines 51-53).

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEONARD SAINT CYR whose telephone number is (571) 272-4247. The examiner can normally be reached on Mon- Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LS  
06/24/08  
/Richemond Dorvil/  
Supervisory Patent Examiner, Art Unit 2626